

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

KONINKLIJKE PHILIPS ELECTRONICS N.V.  
and U.S. PHILIPS CORPORATION,

Plaintiffs and Counterclaim  
Defendants,  
v.

CINRAM INTERNATIONAL INC., CINRAM  
INC., CINRAM MANUFACTURING INC., and  
John Does No. 1 through 100,

Defendants and Counterclaim  
Plaintiffs.

ECF Case

Civil Action No. 08 CV 00515 (CLB)(MDF)  
The Honorable Charles L. Brieant

**NOTICE OF MOTION AND PHILIPS'  
MOTION TO DISMISS CINRAM'S  
PATENT MISUSE AND TORTIOUS  
INTERFERENCE COUNTERCLAIMS  
AND TO DROP PHILIPS  
INTELLECTUAL PROPERTY  
STANDARDS AS A COUNTERCLAIM  
DEFENDANT**

PLEASE TAKE NOTICE that, upon the Memorandum of Law in Support of Philips' Motion to Dismiss, the Declarations of Samuel Cunningham Bass and Edward D. Johnson and exhibits thereto that accompany this Notice, and all papers and pleadings previously filed herein, Plaintiffs and Counterclaim Defendants Koninklijke Philips Electronics N.V. and U.S. Philips Corporation, by their undersigned counsel, will move this Court, on May 22, 2008, or as soon thereafter as counsel may be heard, at the United States Courthouse located at 300 Quarropas Street in White Plains, New York, before the Honorable Charles L. Brieant, United States District Judge, for an Order pursuant to Rules 12(b)(6) and 21 of the Federal Rules of Civil Procedure granting Philips' Motion to Dismiss Cinram's Patent Misuse and Tortious Interference Counterclaims and to Drop Philips Intellectual Property Standards as a Counterclaim Defendant, and for such other and further relief as this Court deems just and proper.

Date: April 23, 2008

/s/ Edward D. Johnson

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